

IC 11-10-13

Chapter 13. Costs of Incarceration

IC 11-10-13-1

Methodology for determining the average daily cost of incarcerating an offender

Sec. 1. The department shall develop a methodology for determining the average daily cost of incarcerating an offender.

As added by P.L.85-2004, SEC.1.

IC 11-10-13-2

Department's duty to determine the average daily cost of incarceration

Sec. 2. The department shall determine the average daily cost of incarcerating an offender in:

- (1) the department; and
- (2) each county jail.

As added by P.L.85-2004, SEC.1.

IC 11-10-13-3

Report of cost of incarceration to be provided to certain criminal courts

Sec. 3. The department shall provide each court with jurisdiction over felony and misdemeanor cases with a report enumerating the average daily costs of incarcerating an offender.

As added by P.L.85-2004, SEC.1.

IC 11-10-13-4

Report to be updated biannually; exception

Sec. 4. (a) The department shall update the report described in section 3 of this chapter twice each calendar year. However, if the average daily cost of incarcerating an offender deviates less than one percent (1%) from the previous cost determination, the department is not required to update the report.

(b) The department shall update the report described in section 3 of this chapter, if necessary, after receiving the semiannual incarceration cost analysis from each county sheriff under IC 36-2-13-5.

As added by P.L.85-2004, SEC.1.

IC 11-10-13-5

Use of county data by the department

Sec. 5. The department may use the semiannual incarceration cost analysis of a county sheriff under IC 36-2-13-5 as the daily cost of incarcerating an offender in that county jail.

As added by P.L.85-2004, SEC.1.

IC 11-10-13-6

Annual actuarial study of projected costs of incarceration; study to be provided to legislative council

Sec. 6. (a) The department shall annually conduct or contract with a third party to annually conduct an actuarially based study of projected costs of incarceration.

(b) The study must:

(1) consider:

(A) the present and anticipated future costs of incarcerating the current inmate population;

(B) the effect of credit time;

(C) the effect of inmate mortality rates;

(D) the projected increase in costs of incarceration; and

(E) any other factor determined to be relevant by the department or the third party contractor; and

(2) provide an analysis of the projected costs of incarceration for each subsequent calendar year after the year the study is conducted until each inmate in the current inmate population is no longer serving the executed sentence for which the inmate is incarcerated in the department.

(c) Before July 1 of each year, the department shall provide the legislative council with the results of the study. The department shall provide the results in an electronic format under IC 5-14-6.

As added by P.L.85-2004, SEC.1.

IC 11-10-13-7

Rulemaking authority

Sec. 7. The department may adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.85-2004, SEC.1.